

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:17-cr-340-MOC

UNITED STATES OF AMERICA,

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V_S.

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ORDER

MILAN TRISIC.

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Defendant.

THIS MATTER is before the court on the parties' Stipulated Request for Judicial Removal of Defendant Milan Trsic. Pursuant to the parties' request, the court finds the following facts by stipulation:

1. Defendant is a native and citizen of Bosnia.
2. In 1998, defendant completed an Immigration and Naturalization Service (“INS”) refugee application (Form I-590). In response to oral and written questions in connection with the refugee application, defendant made materially false claims and statements. Defendant, knowing it to be false, concealed his military service in the Army of Republika Srpska (Serb Republic), or the VRS. On the Biographic Form G-325C, submitted with the I-590, defendant, knowing it to be false, claimed that he resided at Sumska 83, in the village of Ogar in Pecinci, Serbia from November 1993 until 1998. Defendant’s refugee application was approved, and he entered the United States in May 2000. He currently resides in Charlotte, North Carolina which is in the Western District of North Carolina.

on the Form I-485. In Part 3, Question C, the I-485 asked the defendant to list his foreign military service. The defendant, knowing it to be false, claimed that he had no foreign military service, including responding "none" to a question asking him to list foreign military service, and identifying himself as a "war refugee." In fact, defendant served as part of the Bratunac Brigade of the VRS during the following periods: April 17, 1992 to July 15, 1992; December 17, 1993 to February 18, 1994; April 17, 1994 to August 31, 1995; and September 28, 1995 to January 3, 1996. Additionally, in a Biographic Information Form (G-325A) accompanying his Form I-485, defendant, knowing it to be false, indicated he resided in Serbia from June 1992 to May 2000, when in fact he resided in Bosnia during that period. In Part 3, Question 1(a) of the I-485, the defendant, knowing it to be false, answered "no" to the question, "Have you ever, in or outside the U.S. knowingly committed any crime of moral turpitude or a drug-related offense for which you have not been arrested?" In fact, defendant, during his military service, unlawfully transported, detained, and beat Muslim prisoners in May 1992 in Bratunac, Bosnia.

4. Defendant pleaded guilty pursuant to a Plea Agreement to Count I of the Information, which charged defendant with possession of unlawfully obtained documents, in violation of Title 18, United States Code, Section 1546(a).

5. Defendant has agreed to the entry of a stipulated judicial order of removal pursuant to Title 8, United States Code, Sections 1228(c)(5) and 1182. Specifically, defendant admitted that he is a native and citizen of Bosnia and that he is inadmissible to the United States pursuant to 8 U.S.C. § 1182(a)(6)(C)(i), in that defendant is an alien who by fraud or willfully misrepresenting a material fact, seeks to procure (or has sought to procure or has procured) a visa, other documentation or admission into the United States, or other benefit provided under the Immigration and Nationality Act ("INA").

6. Defendant has waived his right to notice and a hearing under the INA, as amended, including Title 8, United States Code, Section 1228(c)(2), and related federal regulations.

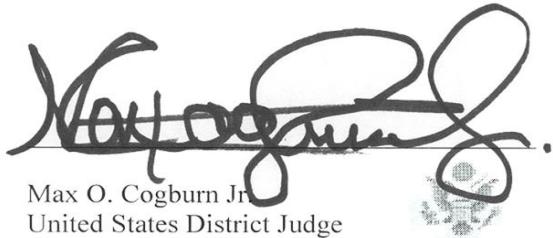
7. Defendant has waived the opportunity to pursue any and all forms of relief and protection from removal, inadmissibility, deportation, or exclusion under the INA, as amended, and related federal regulations.

Having thus considered the parties' motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that the parties' Stipulated Request for Judicial Removal of Defendant Milan Trsic (#17) is **GRANTED**. Defendant shall be removed from the United States to Bosnia, or to any other country according to the applicable laws and regulations of the United States. Defendant's removal shall be carried out promptly upon his satisfaction of any sentence of imprisonment, or if defendant is not sentenced to a term of imprisonment, promptly upon his sentencing. The United States Department of Homeland Security shall execute this Order according to the applicable laws and regulations of the United States.

Signed: December 20, 2017



Max O. Cogburn Jr.
United States District Judge